

Application No. 10/555,321
Reply to Office Action of September 18, 2007

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figures 5A and 5B.

Attachment: One Replacement Sheet

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1 and 3-19 are presently pending in this case. Claims 1, 3, and 4 are amended, Claim 2 is canceled without prejudice or disclaimer, and new Claims 5-19 are added by the present amendment. As amended Claims 1, 3, and 4 and new Claims 5-19 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, the specification was objected to; the drawings were objected to; and Claims 1-4 were rejected under 35 U.S.C. §102(b) as anticipated by Tohya et al. (U.S. Patent No. 4,636,703, hereinafter "Tohya").

The abstract is amended herewith to place it in conformance with U.S. practice. No new matter is added.

With regard to the objection to the specification, the specification is amended to correct the noted informality and to replace "7892" with "7802." Accordingly, the objection to the specification is believed to be overcome.

With regard to the objection to the drawings, Figures 5A and 5B are amended to include labels "64A," "66A," and "6802." (It is respectfully noted that "64B" does not appear in the specification.) Accordingly, the objection to the drawings is believed to be overcome.

With regard to the rejection of Claim 1 as anticipated by Tohya, that rejection is respectfully traversed.

Amended Claim 1 recites a battery device comprising, *inter alia*:

a case having side surfaces located on both ends of a width direction, an upper surface and lower surface located on both ends of a thickness direction, and a front surface and a

¹See, e.g., Figure 1B.

rear surface located on both ends of a length direction; a charging unit disposed inside the case; and
a battery side terminal disposed on the front surface of the case and connected to the charging unit,
wherein *a first engaging recessed part is formed on the front surface of the case of the battery device and a second engaging recessed part is formed on the front surface of the case of the battery device, the first and second engaging recessed parts being separated in the width direction by a gap.*

Tohya describes a charging apparatus including a cell accommodation frame structure 1 for charging batteries 101-104.² With regard to original Claim 2, the outstanding Office Action cited recesses 16 and spaced holes 23A-23C of Tohya as “a plurality of engaging recessed parts.”³ However, Figure 1A of Tohya clearly shows that all of recesses 16 and spaced holes 23A-23C of Tohya are in *cell accommodation frame structure 1*, and *not* in any of the cells 101-104. Thus, it is respectfully submitted that Tohya does not teach a *battery device* including “a first engaging recessed part” and “a second engaging recessed part” as defined in amended Claim 1. Consequently, Claim 1 (and Claims 3-10 dependent therefrom) is not anticipated by Tohya and is patentable thereover.

New Claims 5-10 are supported at least by Figure 1B. New Claims 5-10 are dependent on Claim 1, and thus are believed to be patentable for at least the reasons described above with respect to Claim 1. In addition, Claims 5-10 recite subject matter that further patentably defines over Tohya. Consequently, Claims 5-10 are also patentable over Tohya.

New Claims 11-19 are supported at least by original Claims 1-4 and Figure 1B. New Claim 11 recites in part “wherein first engaging means are formed on the front surface of the case of the battery device and second engaging means are formed on the front surface of the

²See Tohya, abstract and Figures 1A and 4.

³See the outstanding Office Action at page 4, lines 21-22.

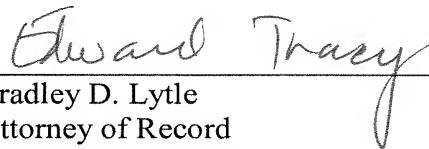
case of the battery device, the first and second engaging means being separated in the width direction by a gap.”

As noted above, Figure 1A of Tohya clearly shows that all of recesses 16 and spaced holes 23A-23C of Tohya are in *cell accommodation frame structure* 1, and *not* in any of the cells 101-104. Thus, it is respectfully submitted that Tohya does not teach a *battery device* including “first engaging means” and “second engaging means” as defined in new Claim 11. Consequently, new Claim 11 (and Claims 12-19 dependent therefrom) is not anticipated by Tohya and is patentable thereover.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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